



MAY 22 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Y Rocky Tsao
FISH & RICHARDSON P.C.
225 Franklin Street
Boston, MA 02110-2804

In re Application of :
LEIB-MÖSCH, Christine *et al* :
U.S. Application No.: 09/914,665 :
PCT No.: PCT/EP00/02064 :
Int. Filing Date: 09 March 2000 :
Priority Date: 10 March 1999 :
Attorney Docket No.: 10737-006001 :
For: RETROVIRAL EXPRESSION VECTORS :
ON THE BASIS ... :

DECISION


This decision is in response to the papers filed 16 April 2002.

A decision was mailed on 15 March 2002 indicating that the declaration submitted on 31 January 2002 was not in compliance with 37 CFR 1.497 because the declaration listed four inventors in the above-captioned application, but only three of the persons are recorded as inventors on the international publication. There was also no indication that applicants added Mr. Saller as a co-inventor in the international application pursuant to PCT Rule 92bis. Applicants were given two months to respond and advised to add Mr. Sallers as an inventor pursuant to 37 CFR 1.497(d).

Instead, applicants have submitted proof that Mr. Saller was added as a co-inventor in the international application after publication in the form of a copy of a "Notification of the Recording of a Change" (Form PCT/IB/306) mailed 16 November 2000 from the International Bureau. This form indicates that Robert Michael Saller was added as a co-inventor in the international application pursuant to PCT Rule 92bis.1. This is a sufficient response to the 15 March 2002 decision.

The declaration submitted 31 January 2002 is now in compliance with 37 CFR 1.497. Applicants have completed the requirements for acceptance under 35 U.S.C. § 371. The application has an international filing date of 09 March 2000 under 35 U.S.C. § 363, and a 35 U.S.C. § 371 date of 31 January 2002.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.


Leonard Smith
PCT Legal Examiner
PCT Legal Office


James Thomson
Attorney Advisor
PCT Legal Office

Tel.: (703) 308-6457